

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS –LA– SRSP– Warangal District – O.P.No.4/1999 of Chennapur (Village) of Regonda (Mandal) - Sanction of decretal charges of **Rs.4,72,397/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 195

DATE:13.03.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Ref.No.SRP2/88/2008,
dt:27.06.08 alongwith the letter of Spl.Collector, LA, SSP & SRSP, Hyd.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.4/1999 pertaining to Chennapur (V) Regonda (M) of Warangal District. The then SDC, LA, SRSP Stage-I&II, Unit-I, Warangal has acquired land for an extent of Acs.7.19 gts dry land for excavation of Canal of 36L of DBM-38-Chennapur (V) Regonda (M) of Warangal District and passed an Award No.55/97-98, dt:30.03.1998 by fixing the land value @Rs.24,000/- per acre. The awardees have filed petitions u/s 18 of L.A.Act. The II Addl.Senior Civil Judge Court, Warangal has enhanced the land value from Rs.24,000/- to Rs.50,000/- per acre vide his judgment and decree dt:17.01.2001. As the land value enhanced by the Civil Court was more than 50% the then SDC, LA, SRSP Stage-I&II, Unit-I, Warangal has preferred an appeal in Hon'ble High Court of A.P in A.S.No.344/2002. At the same time the claimants have also filed the cross objections in the said appeal. In the result the appeal filed by the State has been dismissed by the Hon'ble H.C and cross objections filed by the claimants were allowed while confirming the Judgment of Trial Court in all respects.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,72,397/- (Rupees Four lakhs seventy two thousand three hundred and ninety seven only)** in respect of O.P.No.4/1999 pertaining to Chennapur (V) Regonda (M) of Warangal District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SSP & JCRGLIP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.4/1999 for avoiding intervention of the middleman.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation - Commercial – M.H.116 – Sriramsagar Project - G.H (11) Normal State Plan – Schemes included in the Plan - S.H (27) Canals & Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.790/F.4(2)/2008-1, dated:04.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, SRSP Stage I&II, Warangal.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.19126/LA-III(A1)/2008

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER